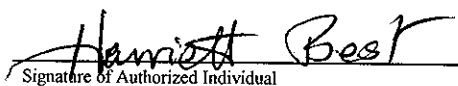


United States Bankruptcy Court Southern District of New York						Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): <b>113TH STREET, REALTY LLC</b>				Name of Joint Debtor (Spouse) (Last, First, Middle):			
All Other Names Used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Other Names Used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):			
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>27-2328050</b>				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):			
Street Address of Debtor (No. and Street, City, and State): <b>276 WEST 113TH STREET</b>				Street Address of Joint Debtor (No. and Street, City, and State):			
<b>NEW YORK, NEW YORK</b> <span style="float: right;"><b>10026</b></span>							
County of Residence or of the Principal Place of Business: <b>NEW YORK</b>				County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street address): same as above				Mailing Address of Joint Debtor (if different from street address):			
Location of Principal Assets of Business Debtor (if different from street address above):							
<b>Type of Debtor</b> (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		<b>Nature of Business</b> (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose." <input type="checkbox"/> Debts are primarily business debts.			
<b>Filing Fee</b> (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				<b>Chapter 11 Debtors</b> <b>Check one box:</b> <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D) <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owned to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).  <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).			
<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.							<b>THIS SPACE IS FOR COURT USE ONLY</b>
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000							
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion							
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion							

2010 MAY -1 P. 3-45

U.S. BANKRUPTCY COURT

<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s): 113TH STREET REALTY LLC	
All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheets)			
Location Where Filed:	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor:	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<b>Exhibit A</b>  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		<b>Exhibit B</b>  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b).  X _____ <div style="text-align: right;">Date</div>	
<b>Exhibit C</b>  Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No			
<b>Exhibit D</b>  (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box.)  <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes.)  <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)  <div style="text-align: center;">           _____            (Name of landlord that obtained judgment)         </div> <div style="text-align: center;">           _____            (Address of landlord)         </div> <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and  <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.  <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(f)).			

<b>Voluntary Petition</b> (This page must be completed and filed in every case)	Name of Debtor(s): 113TH STREET REALTY LLC
<b>Signatures</b>	
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached.</p> <p><input type="checkbox"/> Pursuant to § 1511 of title 11, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p>X _____ Signature of Attorney</p> <p>_____ Printed Name of Attorney for Debtor(s)</p> <p>_____ Firm Name</p> <p>_____ Address</p> <p>_____ Telephone Number</p> <p>_____ Date</p> <p><small>* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notice and information required under 11 U.S.C. 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>X _____ Date</p> <p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</p>
<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p> Signature of Authorized Individual</p> <p>HARRIET BEST Printed Name of Authorized Individual</p> <p>MANAGING MEMBER Title of Authorized Individual</p> <p>4/28/10 Date</p>	

In Re: 113TH STREET REALTY LLC

Case No. \_\_\_\_\_

**Debtor**

(if known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip Code	Codebtor Husband, Wife, Joint, or Community	Date Claim was Incurred, Nature of Lien, and Description and Value of Property Subject to Lien	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, If Any
Account Number:		11-24-2003 First Mortgage				276,000	65,000
FSB/Brooklyn Federal Savings Bank 81 Court Brooklyn, NY 11201		VALUE \$ 300,000					
Account Number:		01-06-2005 Second Mortgage				109,000	
Jonathan Einhorn 864 McDonald Avenue Brooklyn, NY 11218		VALUE \$ 109,000					
Account Number:							
		VALUE \$					
Subtotal (Total of this page)						\$385,000.00	\$65,000.00
Total (Use only on last page)						\$385,000.00	\$65,000.00

(Report also on  
Summary of  
Schedules.)

(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)

In Re: 113TH STREET REALTY LLC  
**Debtor**Case No. \_\_\_\_\_  
(if known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Creditor's Name and Mailing Address Including Zip Code, and Account Number	Codebtor	Husband, Wife, Joint, or Community	Date Claim was Incurred and Consideration for Claim. If Claim is Subject to Setoff, so State.	Contingent	Unliquidated	Disputed	Amount of Claim
Account Number: PATRICIA BEST 276 113th STREET NEW YORK, NY 10026			2006-2010 LOANS TO COMPANY FOR LITIGATION				\$74,000
Account Number:							
Account Number:							
Account Number:							
Account Number:							
Subtotal							\$74,000.00
Total (Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)							\$74,000.00

0 continuation sheets attached

**Local Bankruptcy Rule  
1074-1(a)**

**LLC Partnership Resolution Form**

I, Harriet Best, a General Partner of 113<sup>th</sup> Street Realty LLC, a Limited Liability Company functioning as a partnership formed under the laws of the State of New York (the "LLC"), do hereby certify that the following resolutions were, or hereby are, duly adopted in accordance with the procedures set forth in the governing instruments of the LLC Partnership and that said resolutions have not been amended, rescinded or revoked, and are in no way in conflict with any of the provisions of the governing instruments of the Partnership.

Partnership Name: 113<sup>th</sup> Street Realty LLC

Address: 276 West 113<sup>th</sup> Street New York , NY 10026

**RESOLUTION**

1. Resolved that the Partnership will file a Chapter 11 Bankruptcy in order to reorganize its affairs and be better positioned to deal with the present economic slump.
2. It is Further Resolved that after said filing the Managing Members will seek Legal Counsel to represent the Company in future pleadings.

Dated: April 29, 2010

By: Harriet Best  
Harriet Best – Managing Member

Patricia Best  
Patricia Best – Managing Member

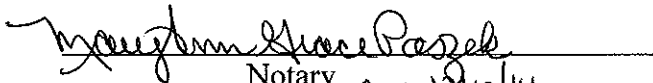
**Rule 1007-2 DEBTOR'S AFFIDAVIT AND PROPOSED CASE CONFERENCE  
ORDER TO BE FILED IN CHAPTER 11 CASES – Amended [December 1,  
2009]**

Harriet Best, Managing Partner of 113<sup>th</sup> Street Realty LLC, of full age and sound mind

By way of this Affidavit states:

1. This Limited Liability Company was formed on or about 1/6/2005 during the closing of the purchase of the property.
2. There are some questionable issues as to whom and under what circumstances the LLC was formed.
3. The Nature of the business is Real Estate Rental Property.
4. The circumstances that led to the filing of this Chapter 11 revolves around the allegations of fraud as a result of a loan application for refinancing.
5. The LLC has recently obtained a Tax ID Number so the issuing of the loan to the LLC is also questionable.
6. The Managing Members are Harriett Best situated at, 250 Maple Street Brooklyn New York, 11225 and Patricia Best situated at 276 W 113<sup>th</sup> Street, New York, NY 10026.
7. There are no Unsecured holders of debt who are not insiders.
8. The Largest and only Secured Claims Holder are FSB/Brooklyn Federal Savings Bank located at 81 Court Street, amount of Claim \$276,000 and Jonathan Einhorn located at 864 Mc Donald Avenue, Brooklyn, NY 11218, Claim amount \$109,000. BOTH OF THESE CLAIMS ARE DISPUTED
9. Debtor's assets are the value of the property approximately \$850,000, total liabilities including insider unsecured debt is approximately \$526,000.
10. There has not been any stocks issued or outstanding.
11. There is a hearing pending for the assignment of rents to the alleged lender.
12. Debtor has no other property.
13. As of this filing there are no records, no books and no tax returns have been filed we are in the process of interviewing accountants and attorneys in order to proceed with this petition.
14. There is a present Foreclosure Action in progress and a Receivership hearing for the rental income.
15. The only management is provided by Harriet and Patricia Best whose responsibilities are maintaining the property in good condition, collecting the rents and fighting off the hostile takeover attempts of the alleged lenders.
16. There are no employees.
17. The anticipated expenses are \$5,000 legal and \$6,500 for utilities, insurance and maintenance and \$3,000 for an accountant.
18. Anticipated rental receipts are approximately \$8,000.

Sworn & Subscribed to before me  
This 28<sup>th</sup> day of April 2010

  
Notary exp. 12/10/14

  
Managing Member for Debtor  
113<sup>th</sup> Street Realty LLC

## **SMALL BUSINESS DEBTORS**

As of this filing the Debtor 113<sup>th</sup> Street Realty LLC has not obtained any of the following:

1. No Books
2. No Tax Returns — Filed 5-5-10
3. No Accountant
4. No Legal Representative

- Please Note within the next 15 days the debtor will obtain Legal Counsel.



## **SMALL BUSINESS DEBTORS**

**As of this filing the Debtor 113<sup>th</sup> Street Realty LLC has not obtained any of the following:**

- 1. No Books**
- 2. No Tax Returns** — Filed 5-5-10
- 3. No Accountant**
- 4. No Legal Representative**

- **Please Note within the next 15 days the debtor will obtain Legal Counsel.**

**H & A Tax Services LLC**  
**Bookkeeping, Tax Preparation, Financial Planning**  
**533 41st Street Union City, NJ 07087**  
**(201) 348-1900 Fax (201) 346-1901**

\*\*\*\*\*

May 5, 2010

**113th Street Realty LLC**  
**Profit & Loss**

**January 01 through April 2010**

	Jan-April 10
Ordinary Income/Expenses	
Income	
Rental Income	4,892.00
 <b>Total Income</b>	 <b>4,892.00</b>
 Expenses	
Auto	1,899.00
Computer Servicing	260.00
Delivery	98.00
Office Supplies & Expense	672.00
Professional Fees	1,600.00
Telephone	973.00
 <b>Total Expenses</b>	 <b>5,502.00</b>
 <b>Net Ordinary Income</b>	 <b>-\$510.00</b>
 <b>Net Income</b>	 <b>-\$510.00</b>

\* The above unaudited Profit & Loss Statement was prepared by Alex Alonso on 5/05/10.

**H & A Tax Services LLC**  
**Bookkeeping, Tax Preparation, Financial Planning**  
**533 41st Street Union City, NJ 07087**  
**(201) 348-1900 Fax (201) 346-1901**

\*\*\*\*\*

May 5, 2010

**113th Street Realty LLC**  
**Balance Sheet**


**As of May 5th 2010**

	<b>Jan-April 10</b>
<b>Assets</b>	
Curent Assets	
Eight Family Building	650,000.00
<b>Total Assets</b>	<b><u>\$650,000.00</u></b>
<b>Liabilities &amp; Equity</b>	
Liabilities	385,000.00
<b>Total Liabilities</b>	<b><u>\$385,000.00</u></b>
<b>Equity</b>	<b>\$265,000.00</b>
<b>Total Liabilities &amp; Equity</b>	<b>\$650,000.00</b>

\* The above unaudited Balance Sheet was prepared by Alex Alonso on 5/05/10.



<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s): 113TH STREET REALTY LLC	
<b>All Filing Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheets)</b>			
Location Where Filed:		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>			
Name of Debtor:		Case Number:	Date Filed:
District:		Relationship:	Judge:
<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>		<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p style="text-align: center;">X _____ Date _____</p>	
<p style="text-align: center;"><b>Exhibit C</b></p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.</p> <p><input checked="" type="checkbox"/> No</p>			
<p style="text-align: center;"><b>Exhibit D</b></p> <p>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)</p> <p><input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.</p> <p>If this is a joint petition:</p> <p><input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.</p>			
<p style="text-align: center;"><b>Information Regarding the Debtor - Venue</b></p> <p style="text-align: center;">(Check any applicable box.)</p> <p><input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.</p>			
<p style="text-align: center;"><b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b></p> <p style="text-align: center;">(Check all applicable boxes.)</p> <p><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p style="text-align: center;">_____ (Name of landlord that obtained judgment)</p> <p style="text-align: center;">_____ (Address of landlord)</p> <p><input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgement for possession was entered, and</p> <p><input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.</p> <p><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).</p>			

<b>Voluntary Petition</b> (This page must be completed and filed in every case)	Name of Debtor(s): 113TH STREET REALTY LLC
<b>Signatures</b>	
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached.</p> <p><input type="checkbox"/> Pursuant to § 1511 of title 11, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p>X _____ Signature of Attorney</p> <p>_____ Printed Name of Attorney for Debtor(s)</p> <p>_____ Firm Name</p> <p>_____ Address</p> <p>_____ Telephone Number</p> <p>_____ Date</p> <p><small>* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notice and information required under 11 U.S.C. 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>X _____ Date</p> <p>_____ Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</p>
<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p> _____ Signature of Authorized Individual</p> <p>HARRIET BEST _____ Printed Name of Authorized Individual</p> <p>MANAGING MEMBER _____ Title of Authorized Individual</p> <p>4/28/10 _____ Date</p>	

In Re: 113TH STREET REALTY LLC

Case No. \_\_\_\_\_

**Debtor**

(if known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip Code	Codebtor	Husband, Wife, Joint, or Community	Date Claim was Incurred, Nature of Lien, and Description and Value of Property Subject to Lien	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, If Any
Account Number:			11-24-2003 First Mortgage				276,000	65,000
FSB/Brooklyn Federal Savings Bank 81 Court Brooklyn, NY 11201			VALUE \$ 300,000					
Account Number:			01-06-2005 Second Mortgage				109,000	
Jonathan Einhorn 864 McDonald Avenue Brooklyn, NY 11218			VALUE \$ 109,000					
Account Number:								
			VALUE \$					
Subtotal (Total of this page)							\$385,000.00	\$65,000.00
Total (Use only on last page)							\$385,000.00	\$65,000.00

(Report also on  
Summary of  
Schedules.)(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)

In Re: 113TH STREET REALTY LLC  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Creditor's Name and Mailing Address Including Zip Code, and Account Number	Codebtor	Husband, Wife, Joint, or Community	Date Claim was Incurred and Consideration for Claim. If Claim is Subject to Setoff, so State.	Contingent	Unliquidated	Disputed	Amount of Claim
Account Number: PATRICIA BEST 276 113th STREET NEW YORK, NY 10026			2006-2010 LOANS TO COMPANY FOR LITIGATION				\$74,000
Account Number:							
Account Number:							
Account Number:							
Account Number:							
Subtotal							\$74,000.00
Total							\$74,000.00

0 continuation sheets attached

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)



**Local Bankruptcy Rule  
1074-1(a)**

**LLC Partnership Resolution Form**

I, Harriet Best, a General Partner of 113<sup>th</sup> Street Realty LLC, a Limited Liability Company functioning as a partnership formed under the laws of the State of New York (the "LLC"), do hereby certify that the following resolutions were, or hereby are, duly adopted in accordance with the procedures set forth in the governing instruments of the LLC Partnership and that said resolutions have not been amended, rescinded or revoked, and are in no way in conflict with any of the provisions of the governing instruments of the Partnership.

Partnership Name: 113<sup>th</sup> Street Realty LLC

Address: 276 West 113<sup>th</sup> Street New York , NY 10026

**RESOLUTION**

1. Resolved that the Partnership will file a Chapter 11 Bankruptcy in order to reorganize its affairs and be better positioned to deal with the present economic slump.
2. It is Further Resolved that after said filing the Managing Members will seek Legal Counsel to represent the Company in future pleadings.

Dated: April 29, 2010

By : Harriet Best  
Harriet Best – Managing Member

Patricia Best  
Patricia Best – Managing Member

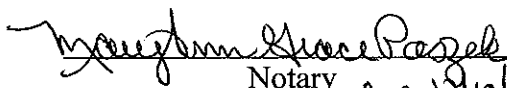
**Rule 1007-2 DEBTOR'S AFFIDAVIT AND PROPOSED CASE CONFERENCE  
ORDER TO BE FILED IN CHAPTER 11 CASES – Amended [December 1,  
2009]**

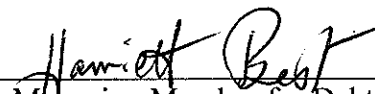
Harriet Best, Managing Partner of 113<sup>th</sup> Street Realty LLC, of full age and sound mind

By way of this Affidavit states:

1. This Limited Liability Company was formed on or about 1/6/2005 during the closing of the purchase of the property.
2. There are some questionable issues as to whom and under what circumstances the LLC was formed.
3. The Nature of the business is Real Estate Rental Property.
4. The circumstances that led to the filing of this Chapter 11 revolves around the allegations of fraud as a result of a loan application for refinancing.
5. The LLC has recently obtained a Tax ID Number so the issuing of the loan to the LLC is also questionable.
6. The Managing Members are Harriett Best situated at, 250 Maple Street Brooklyn New York, 11225 and Patricia Best situated at 276 W 113<sup>th</sup> Street, New York, NY 10026.
7. There are no Unsecured holders of debt who are not insiders.
8. The Largest and only Secured Claims Holder are FSB/Brooklyn Federal Savings Bank located at 81 Court Street, amount of Claim \$276,000 and Jonathan Einhorn located at 864 Mc Donald Avenue, Brooklyn, NY 11218, Claim amount \$109,000. BOTH OF THESE CLAIMS ARE DISPUTED
9. Debtor's assets are the value of the property approximately \$850,000, total liabilities including insider unsecured debt is approximately \$526,000.
10. There has not been any stocks issued or outstanding.
11. There is a hearing pending for the assignment of rents to the alleged lender.
12. Debtor has no other property.
13. As of this filing there are no records, no books and no tax returns have been filed we are in the process of interviewing accountants and attorneys in order to proceed with this petition.
14. There is a present Foreclosure Action in progress and a Receivership hearing for the rental income.
15. The only management is provided by Harriet and Patricia Best whose responsibilities are maintaining the property in good condition, collecting the rents and fighting off the hostile takeover attempts of the alleged lenders.
16. There are no employees.
17. The anticipated expenses are \$5,000 legal and \$6,500 for utilities, insurance and maintenance and \$3,000 for an accountant.
18. Anticipated rental receipts are approximately \$8,000.

Sworn & Subscribed to before me  
This 28<sup>th</sup> day of April 2010

  
Notary exp. 12/10/14

  
Managing Member for Debtor  
113<sup>th</sup> Street Realty LLC

## SMALL BUSINESS DEBTORS

As of this filing the Debtor 113<sup>th</sup> Street Realty LLC has not obtained any of the following:

1. No Books
  2. No Tax Returns — Filed 5-5-10
  3. No Accountant
  4. No Legal Representative
- Please Note within the next 15 days the debtor will obtain Legal Counsel.

## **SMALL BUSINESS DEBTORS**

**As of this filing the Debtor 113<sup>th</sup> Street Realty LLC has not obtained any of the following:**

- 1. No Books**
- 2. No Tax Returns** — Filed 5-5-10
- 3. No Accountant**
- 4. No Legal Representative**

- **Please Note within the next 15 days the debtor will obtain Legal Counsel.**

**H & A Tax Services LLC**  
**Bookkeeping, Tax Preparation, Financial Planning**  
**533 41st Street Union City, NJ 07087**  
**(201) 348-1900 Fax (201) 346-1901**

\*\*\*\*\*

May 5, 2010

**113th Street Realty LLC**  
**Profit & Loss**

**January 01 through April 2010**

	Jan-April 10
Ordinary Income/Expenses	
Income	
Rental Income	4,892.00
<b>Total Income</b>	<b>4,892.00</b>
Expenses	
Auto	1,899.00
Computer Servicing	260.00
Delivery	98.00
Office Supplies & Expense	672.00
Professional Fees	1,600.00
Telephone	973.00
<b>Total Expenses</b>	<b>5,502.00</b>
<b>Net Ordinary Income</b>	<b>-\$510.00</b>
<b>Net Income</b>	<b>-\$510.00</b>

\* The above unaudited Profit & Loss Statement was prepared by Alex Alonso on 5/05/10.

**H & A Tax Services LLC**  
**Bookkeeping, Tax Preparation, Financial Planning**  
**533 41st Street Union City, NJ 07087**  
**(201) 348-1900 Fax (201) 346-1901**

\*\*\*\*\*

May 5, 2010

**113th Street Realty LLC**  
**Balance Sheet**

**As of May 5th 2010**

	<b>Jan-April 10</b>
<b>Assets</b>	
Curent Assets	
Eight Family Building	650,000.00
<b>Total Assets</b>	<b><u>\$650,000.00</u></b>
<b>Liabilities &amp; Equity</b>	
Liabilities	385,000.00
<b>Total Liabilities</b>	<b><u>\$385,000.00</u></b>
<b>Equity</b>	<b>\$265,000.00</b>
<b>Total Liabilities &amp; Equity</b>	<b>\$650,000.00</b>

\* The above unaudited Balance Sheet was prepared by Alex Alonso on 5/05/10.

<h1 style="margin:0;">1065</h1> <p style="margin:0;">Form 1065 Department of the Treasury Internal Revenue Service</p>		<h2 style="margin:0;">U.S. Return of Partnership Income</h2> <p style="margin:0;">For calendar year 2009, or tax year beginning _____, ending _____ ▶ See separate instructions.</p>		<p>OMB No. 1545-0099</p> <h1 style="margin:0;">2009</h1>
<b>A</b> Principal business activity <b>Real Estate</b>	<b>Use the IRS label. Otherwise, print or type.</b>	<b>Name of partnership</b> 113th Street Realty LLC		<b>D</b> Employer identification number 27-2328050
<b>B</b> Principal product or service <b>Property Management</b>		<b>Number, street, and room or suite no. If a P.O. box, see the instructions.</b> 276 West 113th St		<b>E</b> Date business started 1/6/2005
<b>C</b> Business code number		<b>City or town</b> New York	<b>State</b> NEW YORK	<b>ZIP code</b> 10026
				<b>F</b> Total assets (see the instructions) \$ 0

**G** Check applicable boxes: (1) ☒ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return

(6) ☐ Technical termination - also check (1) or (2)

**H** Check accounting method: (1) ☐ Cash (2) ☐ Accrual (3) ☒ Other (specify) \_\_\_\_\_

**I** Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year \_\_\_\_\_ 2

**J** Check if Schedules C and M-3 are attached \_\_\_\_\_

**Caution.** Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

<b>Income</b>	1a	Gross receipts or sales	26,676	1c	26,676
	1b	Less returns and allowances		2	
	2	Cost of goods sold (Schedule A, line 8)		3	26,676
	3	Gross profit. Subtract line 2 from line 1c		4	
	4	Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)		5	
	5	Net farm profit (loss) (attach Schedule F (Form 1040))		6	
	6	Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)		7	
	7	Other income (loss) (attach statement)		8	26,676
	8	<b>Total income (loss).</b> Combine lines 3 through 7			
<b>Deductions</b> <small>(see the instructions for limitations)</small>	9	Salaries and wages (other than to partners) (less employment credits)		9	
	10	Guaranteed payments to partners		10	
	11	Repairs and maintenance		11	7,851
	12	Bad debts		12	
	13	Rent		13	
	14	Taxes and licenses		14	
	15	Interest		15	
	16a	Depreciation (if required, attach Form 4562)	13,999	16c	13,999
	16b	Less depreciation reported on Schedule A and elsewhere on return		17	
	17	Depletion (Do not deduct oil and gas depletion.)		18	
	18	Retirement plans, etc.		19	
	19	Employee benefit programs		20	13,740
	20	Other deductions (attach statement)		21	35,590
	21	<b>Total deductions.</b> Add the amounts shown in the far right column for lines 9 through 20		22	-8,914
22	<b>Ordinary business income (loss).</b> Subtract line 21 from line 8				

<b>Sign Here</b>	Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member manager) is based on all information of which preparer has any knowledge.			May the IRS discuss this return with the preparer shown below (see instructions)? <input type="checkbox"/> Yes <input type="checkbox"/> No
	<div style="display: flex; justify-content: space-between;"> <div>             Signature of general partner or limited liability company member manager         </div> <div>           Date <u>5/5/2010</u> </div> </div>			
<b>Paid Preparer's Use Only</b>	Preparer's signature	Date <u>5/5/2010</u>	Check if self-employed <input checked="" type="checkbox"/>	Preparer's SSN or PTIN
	Firm's name (or yours if self-employed), address, and ZIP code	EIN <u>55-0801624</u>	Phone no. <u>(201) 348-1900</u>	
	<u>H &amp; A Tax Service</u> <u>533 41st Street</u> <u>Union City</u> State <u>NJ</u> ZIP code <u>07087</u>			

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

Form **1065** (2009)

**Schedule A Cost of Goods Sold** (see the instructions)

1	Inventory at beginning of year . . . . .	1		
2	Purchases less cost of items withdrawn for personal use . . . . .	2		
3	Cost of labor . . . . .	3		
4	Additional section 263A costs (attach statement) . . . . .	4		
5	Other costs (attach statement) . . . . .	5		
6	<b>Total.</b> Add lines 1 through 5 . . . . .	6		0
7	Inventory at end of year . . . . .	7		
8	<b>Cost of goods sold.</b> Subtract line 7 from line 6. Enter here and on page 1, line 2 . . . . .	8		0

9a Check all methods used for valuing closing inventory:

(i) ☐ Cost as described in Regulations section 1.471-3

(ii) ☐ Lower of cost or market as described in Regulations section 1.471-4

(iii) ☐ Other (specify method used and attach explanation) ▶

b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.471-2(c) . . . . . ☐

c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970). . . . . ☐

d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership? . . . . ☐ Yes ☐ No

e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? . . . . ☐ Yes ☐ No

If "Yes," attach explanation.

**Schedule B Other Information**

1	What type of entity is filing this return? Check the applicable box:	Yes	No
a	<input type="checkbox"/> Domestic general partnership		
b	<input type="checkbox"/> Domestic limited partnership		
c	<input type="checkbox"/> Domestic limited liability company		
d	<input type="checkbox"/> Domestic limited liability partnership		
e	<input type="checkbox"/> Foreign partnership		
f	<input type="checkbox"/> Other		
2	At any time during the tax year, was any partner in the partnership a disregarded entity, a partnership (including an entity treated as a partnership), a trust, an S corporation, an estate (other than an estate of a deceased partner), or a nominee or similar person? . . . . .		X
3	At the end of the tax year:		
a	Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership . . . . .		
b	Did any individual or estate own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership . . . . .		
4	At the end of the tax year, did the partnership:		
a	Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (iv) below . . . . .		

(i) Name of Corporation

(ii) Employer Identification Number (if any)

(iii) Country of Incorporation

(iv) Percentage Owned in Voting Stock

- b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (v) below . . . . .

(i) Name of Entity

(ii) Employer Identification Number (if any)

(iii) Type of Entity

(iv) Country of Organization

(v) Maximum Percentage Owned in Profit, Loss, or Capital



	Yes	No
5 Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details.		
6 Does the partnership satisfy all four of the following conditions?		
a The partnership's total receipts for the tax year were less than \$250,000.		
b The partnership's total assets at the end of the tax year were less than \$1 million.		
c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return.		
d The partnership is not filing and is not required to file Schedule M-3.	X	
If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item L on Schedule K-1.		
7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)?		
8 During the tax year, did the partnership have any debt that was cancelled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?		
9 Has this partnership filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction?		
10 At any time during calendar year 2009, did the partnership have an interest in, or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See the instructions for exceptions and filing requirements for Form TDR 90-22, Report of Foreign Bank and Financial Accounts. If "Yes," enter the name of the foreign country.		
11 At any time during the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts. See instructions.		
12a Is the partnership making, or had it previously made (and not revoked), a section 754 election? See instructions for details regarding a section 754 election.		
b Did the partnership make for this tax year an optional basis adjustment under section 743(b) or 734(b)? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions.		
c Is the partnership required to adjust the basis of partnership assets under section 743(b) or 734(b) because of a substantial built-in loss (as defined under section 743(d)) or substantial basis reduction (as defined under section 734(d))? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions.		
13 Check this box if, during the current or prior tax year, the partnership distributed any property received in a like-kind exchange or contributed such property to another entity (other than entities wholly-owned by the partnership throughout the tax year).		<input type="checkbox"/>
14 At any time during the tax year, did the partnership distribute to any partner a tenancy-in-common or other undivided interest in partnership property?		
15 If the partnership is required to file Form 8858, Information Return of U.S. Persons With Respect To Foreign Disregarded Entities, enter the number of Forms 8858 attached. See instructions.		
16 Does the partnership have any foreign partners? If "Yes," enter the number of Forms 8805, Foreign Partner's Information Statement or Section 1446 Withholding Tax, filed for this partnership.		
17 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return.		X

**Designation of Tax Matters Partner** (see instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP	Identifying number of TMP
If the TMP is an entity, name of TMP representative	Phone number of TMP
Address of designated TMP	

Schedule K Partners' Distributive Share Items		Total amount	
Income (Loss)	1 Ordinary business income (loss) (page 1, line 22)	1	-8,914
	2 Net rental real estate income (loss) (attach Form 8825)	2	
	3a Other gross rental income (loss)	3a	
	b Expenses from other rental activities (attach statement)	3b	
	c Other net rental income (loss). Subtract line 3b from line 3a	3c	0
	4 Guaranteed payments	4	
	5 Interest income	5	
	6 Dividends: a Ordinary dividends	6a	
	b Qualified dividends	6b	
	7 Royalties	7	
	8 Net short-term capital gain (loss) (attach Schedule D (Form 1065))	8	
Deductions	9a Net long-term capital gain (loss) (attach Schedule D (Form 1065))	9a	
	b Collectibles (28%) gain (loss)	9b	
	c Unrecaptured section 1250 gain (attach statement)	9c	
	10 Net section 1231 gain (loss) (attach Form 4797)	10	
	11 Other income (loss) (see instructions) Type ▶	11	
	12 Section 179 deduction (attach Form 4562)	12	
	13a Contributions	13a	
	b Investment interest expense	13b	
	c Section 59(e)(2) expenditures: (1) Type ▶ (2) Amount ▶	13c(2)	
	d Other deductions (see instructions) Type ▶	13d	
	Self-Employment	14a Net earnings (loss) from self-employment	14a
b Gross farming or fishing income		14b	
c Gross nonfarm income		14c	
Credits	15a Low-income housing credit (section 42(j)(5))	15a	
	b Low-income housing credit (other)	15b	
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468)	15c	
	d Other rental real estate credits (see instructions) Type ▶	15d	
	e Other rental credits (see instructions) Type ▶	15e	
	f Other credits (see instructions) Type ▶	15f	
Foreign Transactions	16a Name of country or U.S. possession ▶	16a	
	b Gross income from all sources	16b	
	c Gross income sourced at partner level	16c	
	Foreign gross income sourced at partnership level		
	d Passive category ▶ e General category ▶ f Other ▶	16f	
	Deductions allocated and apportioned at partner level		
	g Interest expense h Other ▶	16h	
	Deductions allocated and apportioned at partnership level to foreign source income		
	i Passive category ▶ j General category ▶ k Other ▶	16k	
	l Total foreign taxes (check one) ▶ Paid <input type="checkbox"/> Accrued <input type="checkbox"/>	16l	
	m Reduction in taxes available for credit (attach statement)	16m	
n Other foreign tax information (attach statement)			
Alternative Minimum Tax (AMT) Items	17a Post-1986 depreciation adjustment	17a	
	b Adjusted gain or loss	17b	
	c Depletion (other than oil and gas)	17c	
	d Oil, gas, and geothermal properties—gross income	17d	
	e Oil, gas, and geothermal properties—deductions	17e	
	f Other AMT items (attach statement)	17f	
Other Information	18a Tax-exempt interest income	18a	
	b Other tax-exempt income	18b	
	c Nondeductible expenses	18c	
	19a Distributions of cash and marketable securities	19a	
	b Distributions of other property	19b	
	20a Investment income	20a	
b Investment expenses	20b		
c Other items and amounts (attach statement)			

**Analysis of Net Income (Loss)**

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16l						1	-8,914
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/Other	
a General partners							
b Limited partners							

**Schedule L Balance Sheets per Books**

	Beginning of tax year		End of tax year	
	(a)	(b)	(c)	(d)
<b>Assets</b>				
1 Cash				
2a Trade notes and accounts receivable				
b Less allowance for bad debts		0		0
3 Inventories				
4 U.S. government obligations				
5 Tax-exempt securities				
6 Other current assets (attach statement)				
7 Mortgage and real estate loans				
8 Other investments (attach statement)				
9a Buildings and other depreciable assets				0
b Less accumulated depreciation				
10a Depletable assets		0		0
b Less accumulated depletion				
11 Land (net of any amortization)				
12a Intangible assets (amortizable only)		0		0
b Less accumulated amortization				
13 Other assets (attach statement)		0		0
14 Total assets				
<b>Liabilities and Capital</b>				
15 Accounts payable				
16 Mortgages, notes, bonds payable in less than 1 year				
17 Other current liabilities (attach statement)				
18 All nonrecourse loans				
19 Mortgages, notes, bonds payable in 1 year or more				
20 Other liabilities (attach statement)				
21 Partners' capital accounts				
22 Total liabilities and capital		0		0

**Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return**

Note. Schedule M-3 may be required instead of Schedule M-1 (see instructions).

1 Net income (loss) per books	6 Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):
2 Income included on Schedule K, lines 1, 2, 3, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):	a Tax-exempt interest \$
3 Guaranteed payments (other than health insurance)	7 Deductions included on Schedule K, lines 1 through 13d, and 16l, not charged against book income this year (itemize):
4 Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16l (itemize):	a Depreciation \$
a Depreciation \$	8 Add lines 6 and 7
b Travel and entertainment \$	9 Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5
5 Add lines 1 through 4	

**Schedule M-2 Analysis of Partners' Capital Accounts**

1 Balance at beginning of year	6 Distributions: a Cash
2 Capital contributed: a Cash	b Property
b Property	7 Other decreases (itemize):
3 Net income (loss) per books	8 Add lines 6 and 7
4 Other increases (itemize):	9 Balance at end of year. Subtract line 8 from line 5
5 Add lines 1 through 4	

113th Street Realty LLC  
276 West 113th St  
New York, NEW YORK 10026

May 5, 2010

Patricia Best  
276 113th Street  
New York, NY 10026

RE: 113th Street Realty LLC  
27-2328050

Enclosed is your current year Schedule K-1 (Form 1065) for the above-referenced account. The amounts shown are your distributive share of the partnership's income, deductions and credits incurred during the year and are to be reported on your income tax return. The amounts may differ from the distributions you actually received during the year. The difference may be due to a number of factors including the allocation of fees or other deductions, exclusion of tax-exempt income, or a variance between your taxable year and that of the partnership.

If applicable, state tax information has been attached to the K-1. Since income tax requirements vary from state to state, the presentation of the state tax information will be different for each state. The information provided is based on your state of residence from our records. If information for your state of residence is not listed, please contact us at the number below.

If you have any questions concerning this information, please call

Sincerely,

113th Street Realty LLC

**Schedule K-1**  
**(Form 1065)**

Department of the Treasury  
Internal Revenue Service

For calendar year 2009, or tax  
year beginning \_\_\_\_\_, 2009  
ending \_\_\_\_\_, 20 \_\_\_\_\_

**2009**

**Partner's Share of Income, Deductions,  
Credits, etc.**

▶ See back of form and separate instructions.

☐ Final K-1

☐ Amended K-1

651109  
OMB No. 1545-0099

**Part III** **Partner's Share of Current Year Income,  
Deductions, Credits, and Other Items**

1	Ordinary business income (loss)	15	Credits
	-4,457		
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)		
9c	Recaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)		
12	Section 179 deduction		
13	Other deductions		
14	Self-employment earnings (loss)		
		19	Distributions
		20	Other information

For IRS Use Only

\*See attached statement for additional information.

**Part I** **Information About the Partnership**

**A** Partnership's employer identification number  
27-2328050

**B** Partnership's name, address, city, state, and ZIP code  
113th Street Realty LLC  
276 West 113th St  
New York NY 10026

**C** IRS Center where partnership filed return  
P.O. Box 409101, Ogden, UT 84409

**D** ☐ Check if this is a publicly traded partnership (PTP)

**Part II** **Information About the Partner**

**E** Partner's identifying number Partner: 1  
070-46-3100

**F** Partner's name, address, city, state, and ZIP code  
Patricia Best  
276 113th Street  
New York, NY 10026

**G** ☐ General partner or LLC member-manager ☐ Limited partner or other LLC member

**H** ☐ Domestic partner ☐ Foreign partner

**I** What type of entity is this partner?

**J** Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	50.000000%	50.000000%
Loss	50.000000%	50.000000%
Capital	50.000000%	50.000000%

**K** Partner's share of liabilities at year end:

Nonrecourse . . . . . \$

Qualified nonrecourse financing . . . . . \$

Recourse . . . . . \$

**L** Partner's capital account analysis:

Beginning capital account . . . . . \$

Capital contributed during the year . . . . . \$

Current year increase (decrease) . . . . . \$

Withdrawals & distributions . . . . . \$ ( )

Ending capital account . . . . . \$

☐ Tax basis ☐ GAAP ☐ Section 704(b) book

☐ Other (explain)

**M** Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If "Yes", attach statement (see instructions)

113th Street Realty LLC  
276 West 113th St  
New York, NEW YORK 10026

May 5, 2010

Harriet Best  
250 Maple Street  
Brooklyn, NY 11225

RE: 113th Street Realty LLC  
27-2328050

Enclosed is your current year Schedule K-1 (Form 1065) for the above-referenced account. The amounts shown are your distributive share of the partnership's income, deductions and credits incurred during the year and are to be reported on your income tax return. The amounts may differ from the distributions you actually received during the year. The difference may be due to a number of factors including the allocation of fees or other deductions, exclusion of tax-exempt income, or a variance between your taxable year and that of the partnership.

If applicable, state tax information has been attached to the K-1. Since income tax requirements vary from state to state, the presentation of the state tax information will be different for each state. The information provided is based on your state of residence from our records. If information for your state of residence is not listed, please contact us at the number below.

If you have any questions concerning this information, please call

Sincerely,

113th Street Realty LLC

Schedule K-1  
(Form 1065)

Department of the Treasury  
Internal Revenue Service

For calendar year 2009, or tax  
year beginning \_\_\_\_\_, 2009  
ending \_\_\_\_\_, 20 \_\_\_\_\_

Partner's Share of Income, Deductions,  
Credits, etc.

▶ See back of form and separate instructions.

2009

651109

☐ Final K-1

☐ Amended K-1

OMB No. 1545-0099

Part I Information About the Partnership

A Partnership's employer identification number

27-2328050

B Partnership's name, address, city, state, and ZIP code

113th Street Realty LLC

276 West 113th St

New York

NYC 10026

C IRS Center where partnership filed return

P.O. Box 409101, Ogden, UT 84409

D ☐ Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's identifying number

Partner: 2

122-60-2090

F Partner's name, address, city, state, and ZIP code

Harriet Best

250 Maple Street

Brooklyn, NY 11225

G ☐ General partner or LLC  
member-manager

☐ Limited partner or other LLC  
member

H ☐ Domestic partner

☐ Foreign partner

I What type of entity is this partner?

J Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	50.000000%	50.000000%
Loss	50.000000%	50.000000%
Capital	50.000000%	50.000000%

K Partner's share of liabilities at year end:

Nonrecourse . . . . . \$  
Qualified nonrecourse financing . . . . . \$  
Recourse . . . . . \$

L Partner's capital account analysis:

Beginning capital account . . . . . \$  
Capital contributed during the year . . . . . \$  
Current year increase/decrease . . . . . \$  
Withdrawals & distributions . . . . . \$ ( )  
Ending capital account . . . . . \$

☐ Tax basis ☐ GAAP ☐ Section 704(b) book  
☐ Other (explain)

M Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If "Yes", attach statement (see instructions)

Part III Partner's Share of Current Year Income,  
Deductions, Credits, and Other Items

1	Ordinary business income (loss)	15	Credits
	-4,457		
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)		
12	Section 179 deduction		
13	Other deductions	20	Other information
14	Self-employment earnings (loss)		

\*See attached statement for additional information.

For IRS Use Only

**Line 20 (1065) - Other Deductions**

1	Consulting fees	1	4,800
2	Heating Fuel	2	5,000
3	Supplies	3	340
4	Telephone	4	1,320
5	Utilities	5	2,280
6	Total other deductions	6	13,740



## Assets by Classification - 1065

12/31/2009 113th Street Realty LLC 27-2328050

Item No.	Description of Property <small>***** Indicates SOLD</small>	Date Placed In Service	Asset Code	Bus. Use %	Cost or Other Basis	Sec. 179 Deduction	Special Allowance	Salvage Value	Recovery Basis	Recovery Period	Method	Conv Code	Prior Accum. Deprec., 179, Bonus	2009 Deprec.	2009 Accum. Deprec.
<b>27.5-yr Res rental real estate</b>															
1	Eight Family Building	1/6/2005	R-4	100.00%	385,000	0	0	0	385,000	27.5	SL/GDS	MM	0	13,999	13,999
Total: 27.5-yr Residential rental real estate					385,000	0	0	0	385,000				0	13,999	13,999
SubTotals					385,000	0	0	0	385,000				0	13,999	13,999
Less: Assets Sold					0) (	0) (	0) (	0) (	0) (				0) (	0) (	0) (
Ending Totals					385,000	0	0	0	385,000				0	13,999	13,999

# Detail Report

12/31/2009 113th Street Realty LLC 27-2328059

Item No.	Description of Property	Date Placed in Service	Asset Code	Bus. Use %	Cost or Other Basis	179 Sec. 179 Deduction	Special Allowance	Salvage Value	Recovery Basis	AMT	Recovery Period (Years)	Method	Convention Code	Prior Accum. Deprec., 179, Bonus
----------	-------------------------	------------------------	------------	------------	---------------------	------------------------	-------------------	---------------	----------------	-----	-------------------------	--------	-----------------	----------------------------------

CURRENT TAX

1	Eight Family Building	12/2005	R-4	100.00%	385,000	0	0	0	385,000		27.5	SL/GDS	MM	0
---	-----------------------	---------	-----	---------	---------	---	---	---	---------	--	------	--------	----	---

# Detail Report

Item No	Description of Property	Date Placed in Service	2009 Current Deprec.	2009 Accum. Deprec.
1	Eight Family Building	1/6/2005	13,999	13,999

## **LIST OF CREDITORS - MATRIX**

1. FSB/Brooklyn Federal Savings Bank  
81 Court Street  
Brooklyn, NY 11201
2. Jonathan Einhorn  
864 McDonald Avenue  
Brooklyn, NY 11218
3. Patricia Best  
276 113th Street  
New York, NY 10026

# List of 20 Largest unsecured creditors

~~LIST OF CREDITORS - MATRIX~~

1. FSB/Brooklyn Federal Savings Bank  
81 Court Street  
Brooklyn, NY 11201
2. Jonathan Einhorn  
864 McDonald Avenue  
Brooklyn, NY 11218
3. Patricia Best  
276 113th Street  
New York, NY 10026